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Beth E. Levine

November 19, 2012

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BY ELECTRONIC FILING

The Honorable Cecelia G. Morris
Chief United States Bankruptcy Judge
Southern District of New York
355 Main Street
Poughkeepsie, New York 12601-3315

Re: ***SOG Liquidation Trust v. Antonette Favuzza:***
Adv. Pro. No. 09-09098 (CGM)

Your Honor:

This firm represents plaintiff, the SOG Liquidation Trust (“Plaintiff”), in the above-captioned adversary proceeding. I write in response to a letter to Your Honor from counsel for defendant, Antonette Favuzza (“Defendant”), dated November 16, 2012. That letter accompanied Defendant’s Responses and Objections (“Defendant’s Responses”) to Plaintiff’s Motion for Summary Judgment (the “Motion”) which were filed on November 16, 2012 although pursuant to the schedule set by the Court, they were to be filed nearly a month earlier on October 23, 2012.

Defendant claims that that the late filing is justified by “confusion” engendered by the multiple adjournments and scheduling orders filed in this adversary proceeding. However, simply put, there should be no confusion. At the conference held before Your Honor on September 13, 2012, at which Defendant appeared, the Court set out the briefing schedule for Plaintiff’s motion, including the October 23 response deadline. Similarly, the Notice of Hearing that accompanied Plaintiff’s Motion set forth the October 23 objection deadline ordered by Your Honor at that conference.

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Plaintiff submits that because Defendant's Responses are untimely, they should not be considered by the Court.

Respectfully submitted,



Beth E. Levine

BEL

cc: Roland Jones, Esquire (by electronic mail)